

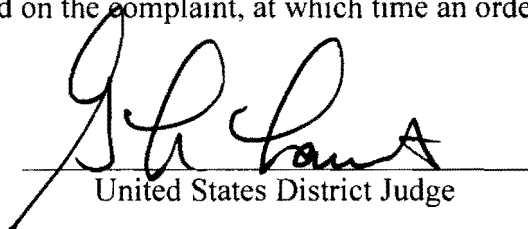
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA, <i>ex rel.</i>	)	
ALCHEMY SERVICES, INC.,	)	
Plaintiff-Relator,	)	
	)	
v.	)	Civil Action No. 10-680
	)	
GLAXOSMITHKLINE CONSUMER	)	
HEALTHCARE LP, and	)	
GLAXOSMITHKLINE, LLC,	)	
Defendants.	)	

O R D E R

AND NOW, this 20<sup>th</sup> day of Dec 2010, after the plaintiff-relator, Alchemy Services, Inc., filed a *qui tam* complaint in the above-captioned case, and after the defendants moved to dismiss the complaint on several grounds, including for failure to state a claim pursuant to Fed.R.Civ.P. 12(b)(6), and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were granted fourteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff-relator, as well as the defendants' response to those objections, and after independent review of the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the plaintiff has leave to amend within fourteen (14) days, and that application for dismissal of the action may be made if a timely amendment is not forthcoming within that time. If the plaintiff does not desire to amend, he may file an appropriate notice with the district court asserting his intent to stand on the complaint, at which time an order to dismiss the action would be appropriate.

  
United States District Judge